

Remarks

Claims 1-3, 5-7, 12-16, 22, 23, 25, 27-30, 34, 45-47, 99-114 remain in the present application for the Examiner's review and consideration. Claims 4, 8-11, 17-21, 24, 26, 31-33, 35-44, 48-50, and 79-98 have been withdrawn as being directed to non-elected species.

Applicants appreciate the withdrawal of the prior rejections under 35 U.S.C. §§ 102, 103 and 112.

Claims 51-78, which are readable on Species IV, have been canceled previously. Claims 79-98, which are readable on other unelected Species, are canceled by this amendment. The amendment to claim 1 and the cancellation of unelected claims place the present application in form for allowance, and therefore constitute proper responses to the pending final office action. The entry of the above amendments and remarks below is respectfully requested.

Currently, claims 1-3, 5-7, 13, 14, 22, 23, 25, 27-29, 34, 45, 46, 99-104 and 107-114 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 7,093,623 to Soucy. Claim 12 and 47 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Soucy. Claims 15, 16, 105, 106 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of a combination of Soucy and U.S. 6,135,150 to Powell. Claim 114 is being rejected under 35 U.S.C. § 103(a) as being obvious over Soucy in view of U.S. 4,672,998 to Kojak. Claim 101-109 and 111-113 are rejected under 35 U.S.C. § 103(a) as being obvious over Powell in view of Soucy.

Claim 30 would be allowable over the art of record if rewritten to include the limitations of the base claim and intervening claims. The patentability of claim 30 is noted with appreciation.

Of the pending claims, claims 1 and 101 are the independent claims.

Claim 1 has been amended to recite that "the valve components cooperate with each other to open the internal seal in each valve component." This amendment reads on the elected Species I (Figs. 1a-1c), since in this Species valve components 12 and 14 cooperate, *e.g.*, push each other, to open the internal seal in each valve component.

On the other hand Soucy does not disclose this feature. When the two valve components of Soucy mate with each other, the internal seals for these valve components are not opened. When Soucy's two valve components mate, tube 38 pushes ball 20 away from sealing surface 22 against the force spring 24 to open only ball valve 20/22/ 24 on canister 10. The other valve located on the device/fuel cell side, which includes ball 32, sealing surface 34 and spring 36, remains closed. To open the valve on the device/fuel cell side, Soucy describes on column 2, lines 61-67, as follows:

the user then forces a sleeve 42 inwardly (to the left in FIG. 1), thereby moving a plunger 44 to the left and forcing fluid from the chamber 14 into the tube 38. *Sufficient force on the sleeve 42 is exerted to cause fluid pressure to force the ball 32 away from its seat, thereby completing the pathway to the passage 30 and forcing fuel into the passage and on into the fuel cell reservoir.*

(emphasis supplied). Hence, it is clear that to open the fluid pathway or to open the internal seals for both valve components, the user must apply "fluid pressure".

Additionally, Soucy does not disclose establishing an inter-component seal as claimed in claim 1. Hence, claim 1 as amended is patentable over Soucy.

Claims 2-3, 5-7, 12-16, 22, 23, 25, 27-30, 34 and 45-47 are dependent on claim 1 and recite further limitations therefrom and therefore are also patentable. Applicants reserve the right to further support their patentability should that become necessary.

Also, withdrawn claims 4, 8-11, 17-21, 24, 26, 31-33, 35-44 and 48-50 depend on patentable claim 1 and Applicants respectfully request that these claims be examined.

Independent claim 101 recites, among other things, "the spring constant of the spring in the valve component connecting to the fuel cell is lower than the spring constant of the spring in the valve component connecting to the fuel supply so that the valve component connecting to the fuel cell opens before the other valve component opens." As discussed above in connection with amended claim 1, in Soucy the differences in spring constants do not open one valve before the other valve.

Additionally, as disclosed in Soucy the valve component on canister 10 always opens before the valve component connected to the fuel cell, because after the valve component on canister 10 opens, a user must exert a force to open the valve component connected to the fuel cell. This is opposite from the above quoted limitation from claim 101. Hence, claim 101 is also patentable over Soucy.

Claims 102-114 are dependent on claim 101 and recite further limitations therefrom and therefore are also patentable. Applicants reserve the right to further support their patentability should that becomes necessary.

Applicants believe that no fees are due in connection with the submission of this Response. If any fees are due, however, Applicants hereby authorize the Commissioner to charge the appropriate fees to The H.T. Than Law Group, Deposit Account No. 50-1980.

Respectfully submitted,

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